

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

ROGER KNOX,

Defendant

Criminal Action No. 18-cr-10385-NMG

**ASSENTED TO MOTION OF DEFENDANT
ROGER KNOX TO MODIFY APPEARANCE BOND**

Defendant Roger Knox (“Knox”), with the assent of the United States of America, respectfully moves to modify the Appearance Bond entered into pursuant to the Order Setting Conditions of Release in this matter dated April 2, 2020, by removing David and Lorien Moore of 1 Penny Lane, Lexington, Massachusetts (the “Moore’s”)(the “Lexington Property”) as sureties and the Lexington Property as security to secure Knox’s compliance with the Appearance Bond and to substitute therefor three unencumbered properties owned by Knox in the United Kingdom. In support of this motion, Knox states as follows:

Substitution of Security

1. In April 2020, Knox was released from custody on bail conditions set forth in an Order Setting Conditions of Release dated April 2, 2020 (the “Order”). Pursuant to the Order, Knox executed a personal bond in the amount of \$750,000 secured by an agreement between the Moore’s and the United States Attorney by which the Moore’s agreed to act as surety and to forfeit a \$750,000 interest in the Lexington Property should Knox fail to abide by the terms of the Order.
2. In the 19 months that Knox has been released he has never violated the terms or conditions of his release.
3. For personal reasons, the Moore’s are seeking access to the equity in the Lexington Property and, therefore, a release from their obligations as surety under the Appearance Bond.
4. Knox is the registered owner of three real properties located in the United Kingdom: 83 Hawthorne Crescent, West Drayton, UK; 22 Bridge Road, Uxbridge, UK; and 9 Moyrath House, Hawthorne Gardens, Belmont Road, Belfast, UK (collectively, the “UK Properties”). The UK Properties are completely unencumbered and have a combined estimated value of \$1,102,493. Knox has agreed to (a) execute and record in the appropriate UK registry mortgages on the UK Properties as security for Knox’s satisfaction of his obligation to pay \$750,000 under the Appearance Bond and as

- substitute security for the Lexington Property under the Appearance Bond, (b) execute transfer forms for the UK Properties that will be held in escrow by the Clerk for the United States District Court for the District of Massachusetts (the “Clerk”) pursuant to an escrow agreement entered into among Knox, the United States Attorney and the Clerk, and (c) execute all other documents that may be necessary to forfeit a \$750,000 interest in the UK Properties should he fail to appear for future court proceedings or surrender to serve a sentence that the court may impose.
5. Upon its receipt of approved documents executed by Knox to forfeit a \$750,000 interest in the UK Properties, the United States has agreed to (a) release the Moores from their obligations as sureties under the Appearance Bond, (b) return the original mortgage to the Lexington Property and execute an appropriate discharge of that mortgage, and (c) terminate a certain Escrow Agreement dated April 2, 2020 between the Moores and the United States Attorney and release to the Moores the original deed to the Lexington Property being held in escrow pursuant to that Escrow Agreement.
 6. The United States Attorney’s Office has confirmed its assent to the foregoing request for substitution of security.
 7. The United States Probation Department and Pretrial Services Office has confirmed to undersigned counsel that Knox has no substantive issues of non-compliance while on release and that it takes no position on the present motion.

WHEREFORE, Knox respectfully requests that this Court allow the present motion and enter an order modifying the Appearance Bond entered into pursuant to the Order Setting Conditions of Release in this matter dated April 2, 2020, by removing the Moores as sureties and the Lexington Property as security to secure Knox’s compliance and to substitute therefor the UK Properties.

Respectfully,

ROGER KNOX
Defendant

By: /s/ Mark A. Berthiaume
John Pappalardo (BBO #388760)
Mark A. Berthiaume (BBO #041715)
GREENBERG TRAURIG, LLP
One International Place, 20th Floor
Boston, MA 02110
(617) 310-6000
(617) 310-6001 (fax)
E-mail: berthiaumem@gtlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2021, I served a copy of the foregoing on counsel of record in this case via electronic mail.

/s/ Mark A. Berthiaume

Mark A. Berthiaume

Date: November 15, 2021

ACTIVE 59158279v4